

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

MDL No. 1456
Master File No.: 01-12257-PBS
Subcategory Case No.: 07-12141-PBS

THIS DOCUMENT RELATES TO:

State of Iowa v. Abbott Laboratories Inc., et al.

Judge Patti B. Saris

**NOTICE OF VOLUNTARY DISMISSAL OF PLAINTIFF'S CLAIMS
AGAINST BAYER CORPORATION AND BAYER PHARMACEUTICALS CORPORATION**

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff the State of Iowa (the "State") and defendants Bayer Corporation and Bayer Pharmaceuticals Corporation ("Bayer"), by and through their respective attorneys, pursuant to Fed. R. Civ. P. 41 and the terms of the Settlement Agreement between the State and Bayer, that all claims in this action against Bayer Corporation and Bayer Pharmaceuticals Corporation are dismissed with prejudice and without costs to any party.

Dated: March 30, 2010

KIRBY McINERNEY & SQUIRE, LLP

By: 

Joanne M. Cicala
Daniel Hume
825 Third Avenue
New York, NY 10022

On Behalf of the State of Iowa

SIDLEY AUSTIN LLP

By: 

Richard D. Raskin
Michael P. Doss
One South Dearborn Street
Chicago, IL 60603

*On Behalf of Bayer Corporation and Bayer
Pharmaceuticals Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2010, I caused a true and correct copy of the foregoing Notice of Voluntary Dismissal of Plaintiff's Claims Against Bayer Corporation and Bayer Pharmaceuticals Corporation to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 in MDL No. 1456.

/s/

Daniel Hume